

09/922,224 filed 08/02/2001
Chow, et al.
Reply to Office Action of November 14, 2005

REMARKS/ARGUMENTS

Claims 1–36 are pending in the above-captioned application, and all of these claims stand rejected. With this paper, claims 1, 17, and 18 have been amended. No new matter was added with the amendment.

Claim rejections under 35 U.S.C. § 102(e) as anticipated by Bergh et al. (US 6,890,493 B1)

Claims 1–36 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Bergh et al. (US 6,890,493 B1) (hereinafter “Bergh”). This rejection is respectfully traversed. “[F]or anticipation under 35 U.S.C. § 102, a single reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present.” MPEP § 706.02. “The identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, USPQ2d 1913, 1920 (Fed. Cir. 1989).

While the Examiner has not specifically identified structures in Bergh that correspond to Applicants’ claimed “body structure” and “manifold,” it does not appear to Applicants that Bergh teaches a microfluidic device wherein the body structure and manifold have first and second fluid direction means, “the second fluid direction means being different from the first fluid direction means.” These limitations of the invention have been added to claim 1 to more particularly point out and distinctly claim Applicants’ invention. Support for the limitations can be found in the original claims 17 and 18 as well as in paragraph 0066, lines 2–6 on page 21, and in paragraph 0094, line 28 on page 31. Thus, no new matter has been added by the amendment of claim 1. Claims 17 and 18 have been amended in keeping with their antecedent bases in claim 1.

Beginning in column 30 at line 34, Bergh teaches regarding “Supplying Reactants to the Microreactors.” In lines 45 and 46, Bergh refers to “a liquid-flow-control device,” implying a single liquid direction means. This implication is also present in line 55: “A microfluidic distribution system.” Further, Bergh asserts in column 31, lines 9–14, that for certain applications reactants are preferably supplied to the microreactors at substantially the same inlet pressure for each individual microreactor. Bergh then states that the reactant supply manifold depicted in FIG. 7A is a less preferred embodiment because it is not capable of achieving these same pressures. The different distances that a liquid must flow through the manifold of FIG. 7A to reach individual microreactors result in different inlet pressures and different flow rates through the individual microreactors. Applicants wish to point out that if the manifold and the microreactors had different fluid direction means, the configuration of the

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manifold of FIG. 7A would not be an issue. (Note that in the previous discussion Applicants have interpreted the "reactant supply manifold" of Bergh as corresponding to Applicants' "manifold" and the "microreactors" of Bergh as corresponding to Applicants' "body structure." These interpretations are used for comparison purposes only. Applicants do not thereby concede that the microreactors taught by Bergh form a microchannel network.)

Thus, Bergh does not teach every aspect of the claimed invention either explicitly or impliedly, nor does Bergh show the identical invention claimed by Applicants in as complete detail as is contained in amended independent claim 1. Withdrawal of the rejection of claim 1 under U.S.C. § 102(e) as being anticipated by Bergh is, therefore, respectfully requested.

Claims 2-36 depend directly or indirectly from claim 1. Therefore, Applicants respectfully submit that these dependent claims are allowable for at least the same reasons as set forth herein with respect to claim 1. Withdrawal of the rejection of dependent claims 2-36 under U.S.C. § 102(e) as being anticipated by Bergh is also respectfully requested.

CONCLUSION

In view of the foregoing remarks, Applicants believe that the present application is in condition for allowance, and action toward that end is respectfully requested. If the Examiner believes that a telephone interview would expedite the examination of this application, the Examiner is requested to contact the undersigned at the telephone number below.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 9, 2006, by Ann C. Petersen,

Signed: _____

